



Chapter 313 Annual Eligibility Report Form

Form 50-772
(May 2010)

2012

Tax Year covered in this report

Ector County Independent School District

School district name

Texas Clean Energy Project

Project Name

83 S. King Street, Suite 200, Seattle WA 98104

Company Address

.079

I&S Tax Rate

1.04

M&O Tax Rate

Summit Texas Clean Energy, LLC

Company Name

Ryan Cooper: rcooper@summitpower.com; 206-780-3551

Company Contact Information

NOTE: This form must be completed by an authorized representative of each approved applicant and each entity with property subject to the limitation agreement. It must be submitted to the school district by May 15th of every year using information from the previous tax (calendar) year. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement: 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

32041151260

Texas Taxpayer ID of Applicant

December 13, 2011

Date of Agreement Approval

2012

First complete tax year of the qualifying time period

2014

First tax year of the limitation

n/a

Texas Taxpayer ID Reporting Entity (if appropriate)

Summit Texas Clean Energy, LLC

Original Applicant Name

2013

Last tax year of the qualifying time period

\$80,000,000.00

Amount of the limitation at the time of application approval

QUALIFIED PROPERTY INFORMATION

\$480,000.00

Market Value

\$480,000.00

I&S Taxable Value

\$480,000.00

M&O Taxable Value

Is the business entity in good standing with respect to Tax Code, Chapter 171?

(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>)

☒ Yes ☐ No

Is the business entity current on all taxes due to the State of Texas?

☒ Yes ☐ No

Is the business activity of the project an eligible business activity under Section 313.024(b)?

☒ Yes ☐ No

Please identify business activity: electric power generation using integrated gasification combined cycle technology

What was the application review start date for your application (the date your application was determined to be complete)?

(This question must only be answered for projects with applications approved after June 1, 2010.)

8/23/11

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.)

0

What is the number of new jobs required for a project in this school district according to 313.021(2)(A)(iv)(b), 313.051(b), as appropriate?

10

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver?

n/a

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)

n/a



What is the minimum required annual wage for each qualifying job in the year covered by the report? \$45,531.20

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). 313.021(5)(B)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. Please see attached.

How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? 0

Of the qualifying job-holders last year, how many were employees of the approved applicant? n/a

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? n/a

If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? ☒ NA ☐ Yes ☐ No

THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE.

How many qualifying jobs did the approved applicant commit to create in the year covered by the report? n/a

At what annual wage? _____

How many qualifying jobs were created at the specified wage? _____

ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? \$0

Was any of the land classified as qualified investment? ☐ Yes ☒ No

Was any of the qualified Investment leased under a capitalized lease? ☐ Yes ☒ No

Was any of the qualified Investment leased under and operating lease? ☐ Yes ☒ No

Was any property not owned by the applicant part of the qualified investment? ☐ Yes ☒ No

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.

What was your limitation amount (or portion of original limitation amount) during the year covered by this report? n/a

Please describe your interest in the agreement and identify all the documents creating that interest.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code 313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

APPROVAL.

"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."



Signature

Richard W. Burkhardt

Printed name of authorized company representative

Vice President & Chief Financial Officer

Title

May 14, 2013

Date

CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE

83 S. King Street, Suite 200, Seattle WA 98104

Address

206-780-3551

Phone

rburkhardt@summitpower.com

E-mail



Franchise Tax Account Status

As of: 05/14/2013 02:45:49 PM

This Page is Not Sufficient for Filings with the Secretary of State

SUMMIT TEXAS CLEAN ENERGY, LLC	
Texas Taxpayer Number	32041151260
Mailing Address	83 S KING ST STE 200 SEATTLE, WA 98104-2875
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
SOS Registration Date	02/02/2010
Texas SOS File Number	0801225292
Registered Agent Name	CORPORATION SERVICE COMPANY DBA CSC-LAWYERS INCORP
Registered Office Street Address	211 E 7TH ST., SUITE 620 AUSTIN, TX 78701

CHECKLIST ITEM #14**Calculation of Wage Requirements****Total, All Industries - Ector County**

Year	Period	Area	Industry	Avg Weekly Wages	
2011	1st Qtr	Ector County	Total, All Industries	\$	877
2010	2nd Qtr	Ector County	Total, All Industries	\$	809
2010	3rd Qtr	Ector County	Total, All Industries	\$	844
2010	4th Qtr	Ector County	Total, All Industries	\$	945
Average, All Industries				\$	869
110% of Average				\$	955.63

Manufacturing - Ector County

Year	Period	Area	Industry	Avg Weekly Wages	
2011	1st Qtr	Ector County	Manufacturing	\$	1,038
2010	2nd Qtr	Ector County	Manufacturing	\$	1,277
2010	3rd Qtr	Ector County	Manufacturing	\$	1,002
2010	4th Qtr	Ector County	Manufacturing	\$	980
Average, Manufacturing				\$	1,074
110% of Average				\$	1,181.68

Manufacturing - Permian Basin WDA

Year	Area	Industry	Avg Weekly Wages	
2010	Permian Basin Regional Plann.	Manufacturing	\$	796
		Average, Manufacturing	\$	796
		110% of Average	\$	875.60
		Annual Average Wage (52 weeks)	\$	45,531.20

Sources:

- (1) Texas Workforce Commission, Quarterly Employment and Wages (QCEW),
<http://www.tracer2.com/cgi/dataanalysis/AreaSelection.asp?tableName=Industry>
- (2) 2010 Manufacturing Wages by Council of Government Region,
<http://www.tracer2.com/admin/uploadedPublications/COGWages.pdf>

Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2011	1st Qtr	Ector County	Private	00	0	10	Total, All Industries	\$877
2010	2nd Qtr	Ector County	Private	00	0	10	Total, All Industries	\$809
2010	3rd Qtr	Ector County	Private	00	0	10	Total, All Industries	\$844
2010	4th Qtr	Ector County	Private	00	0	10	Total, All Industries	\$978

Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2011	1st Qtr	Ector County	Private	31	2	31-33	Manufacturing	\$1,038
2010	2nd Qtr	Ector County	Private	31	2	31-33	Manufacturing	\$980
2010	3rd Qtr	Ector County	Private	31	2	31-33	Manufacturing	\$1,002
2010	4th Qtr	Ector County	Private	31	2	31-33	Manufacturing	\$1,277

2010 Manufacturing Wages by Council of Government Region
Wages for All Occupations

COG	Wages	
	Hourly	Annual
Texas		
<u>1. Panhandle Regional Planning Commission</u>	\$18.60	\$38,683
<u>2. South Plains Association of Governments</u>	\$16.21	\$33,717
<u>3. NORTEX Regional Planning Commission</u>	\$18.34	\$38,153
<u>4. North Central Texas Council of Governments</u>	\$23.45	\$48,777
<u>5. Ark-Tex Council of Governments</u>	\$15.49	\$32,224
<u>6. East Texas Council of Governments</u>	\$17.63	\$36,672
<u>7. West Central Texas Council of Governments</u>	\$17.48	\$36,352
<u>8. Rio Grande Council of Governments</u>	\$15.71	\$32,683
<u>9. Permian Basin Regional Planning Commission</u>	\$19.90	\$41,398
<u>10. Concho Valley Council of Governments</u>	\$15.33	\$31,891
<u>11. Heart of Texas Council of Governments</u>	\$17.91	\$37,257
<u>12. Capital Area Council of Governments</u>	\$25.37	\$52,778
<u>13. Brazos Valley Council of Governments</u>	\$15.24	\$31,705
<u>14. Deep East Texas Council of Governments</u>	\$15.71	\$32,682
<u>15. South East Texas Regional Planning Commission</u>	\$27.56	\$57,333
<u>16. Houston-Galveston Area Council</u>	\$24.52	\$51,002
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.07	\$41,738
<u>18. Alamo Area Council of Governments</u>	\$17.28	\$35,952
<u>19. South Texas Development Council</u>	\$13.27	\$27,601
<u>20. Coastal Bend Council of Governments</u>	\$21.55	\$44,822
<u>21. Lower Rio Grande Valley Development Council</u>	\$14.35	\$29,846
<u>22. Texoma Council of Governments</u>	\$18.10	\$37,651
<u>23. Central Texas Council of Governments</u>	\$17.21	\$35,788
<u>24. Middle Rio Grande Development Council</u>	\$13.21	\$27,471

Source: Texas Occupational Employment and Wages

Data published: June 2011

Data published annually, next update will be June 2012.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.